

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO

SERGIO ALVA,  
Plaintiff,

vs.

2:16-cv-00008-MCA-LF

DAN STUMP, VICK JENKINS, and  
THE BOARD OF COUNTY COMMISSIONERS,  
OTERO COUNTY, NEW MEXICO,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S PROPOSED  
FINDINGS AND RECOMMENDED DISPOSITION**

The magistrate judge filed her Proposed Findings and Recommended Disposition on January 11, 2017 (Doc. 15). The proposed findings notified plaintiff Sergio Alva of his ability to file objections within fourteen (14) days, and that failure to do so waives appellate review. To date, Alva has not filed any objections, and there is nothing in the record indicating that the proposed findings were not delivered.

**IT IS THEREFORE ORDERED AS FOLLOWS:**

1. The magistrate judge's Proposed Findings and Recommended Disposition (Doc. 15) is ADOPTED;
2. Defendant Board of County Commissioners, Otero County, New Mexico's Motion to Dismiss Plaintiff's Amended Complaint (Doc. 11) is GRANTED.
3. Alva's Amended Complaint (Doc. 9) is DISMISSED without prejudice;
4. Alva will have 21 days from the date of this order to amend his complaint. If Alva does not amend his complaint within 21 days, the case will be dismissed with prejudice.

  
CHIEF UNITED STATES DISTRICT JUDGE